

REMARKS

Applicants request the amendment of claim 1, the cancellation of claims 2, 3 and 10-22 as well as the addition of new claims 23-27 so that upon entry of the instant amendment, claims 1, 4-9 and 23-27 will be pending in this application. Support for the amended and new claims is replete in the application and claims as filed. Support for the amended recitation, "essentially homogenous population" can be found throughout the application including, for example, at page 16, line 27 through page 17, line 32, page 23, lines 27-31 and page 24, lines 17-29 (populations). Support for an "aqueous" antigen comes at least from page 17, lines 8-9. Support for recitation "(a)" comes from at least, pages 35, line 33 through page 36, line 2, page 37, lines 37-38, page 39, lines 10-30 and page 55, lines 40-44. Support for the timing of the first, second and third phases of release can be found throughout the specification including at, for example, page 47, lines 10-15 (a period of 180 days beginning at the completion of the initial burst), Figure 8 (the third phase occurs at the completion of the second phase and generally endures for a period of about between one and thirty days) page 59, lines 16-18, for example, as well as, page 45, lines 43-45; page 47, lines 10-11; pages 35, line 33 through page 36, line 2; page 37, lines 37-38; page 39, lines 10-30 and page 55, lines 40-44. Support for the period of, for example, one, two, three, four and six month periods of release comes from, for example page 45, line 45 and page 47, line 11, as well as, for example, page 46, line 26 and page 7, line 2 (60, 70, 90, 100, and 180 days). Furthermore, the description and Example sections clearly describe how to make and use microsphere populations having a second phase enduring for a period of one through 6 months (see page 47, for example). A particular description of "0.5 to about 30 percent" comes from, for example, page 43, lines

33-34, Table 5, as well as the claims as filed and the extensive discussion of parameters which affect the amount and duration of the "initial burst" as well as the actual demonstrations in Tables 2-5. For both written and enabling support for the period of about 1 to two days, the Examiner attention is drawn to those same sections indicated above as well as Figure 8 and the data accompanying that Figure.

Applicants respectfully seek the approval of the Examiner in making the corrections to Figures 5 and 6 indicated in the separate letter to the draftsman with proposed drawing correction under 37 C.F.R. §1.123 and MPEP §§608.02(q) and (r) which accompanies this amendment.

#### CONCLUSION


Applicants respectfully request that the foregoing amendments be considered and entered in the file history of the above-identified application. It is submitted that the application and claims are in condition for allowance. It is therefore earnestly solicited that such a favorable disposition is made. The Examiner is invited to telephone Jeffrey S. Kubinec, Esq. (Reg. No. 36,575) at (415) 225-8228 if deemed helpful to clarify and advance prosecution.

Respectfully submitted,

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